

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

DAVID S. BENOIT,)	3:20-cv-00074-MMD-WGC
)	
Plaintiff,)	<u>MINUTES OF THE COURT</u>
vs.)	
)	June 30, 2020
ZURICH, <i>et al.</i> ,)	
)	
Defendants.)	
_____)	

PRESENT: THE HONORABLE WILLIAM G. COBB, U.S. MAGISTRATE JUDGE

DEPUTY CLERK: KAREN WALKER REPORTER: NONE APPEARING

COUNSEL FOR PLAINTIFF(S): NONE APPEARING

COUNSEL FOR DEFENDANT(S): NONE APPEARING

MINUTE ORDER IN CHAMBERS:

Before the court is Plaintiff's "Motion for Extension" (ECF No. 18). Plaintiff requests a "6 month extension to obtain legal representation due to COVID 19". (*Id.*)

It appears from the docket that the Clerk of Court issued a Notice Regarding Intention to Dismiss Pursuant to Rule 4(m) of the Federal Rules of Civil Procedure. (ECF No. 17.) The notice advised Plaintiff that as of June 1, 2020, proof of service had not been filed as to Defendants Zurich, Farmers Insurance, Johnnie Walker RV, State of Nevada, Dr. Malinas, or Renown Hospital. Additionally, Plaintiff was advised to file proof of service on or before July 1, 2020. (*Id.*)

Plaintiff's request for a six (6) month extension is excessive. The complaint in this case was filed on February 4, 2020. (ECF No. 1.) Federal Rule of Civil Procedure 4(m) provides, in part, as follows:

". . . If a defendant is not served within 90 days after the complaint is filed, the court – on motion or on its own after notice to the plaintiff – must dismiss the action without prejudice against that defendant or order that service be made within a specified time. But if the plaintiff shows good cause for the failure, the court must extend the time for service for an appropriate period. . ."

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IT IS THEREFORE ORDERED that Plaintiff's "Motion for Extension" (ECF No. 18) is **GRANTED** to the extent that Plaintiff shall have to and including **Monday, September 28, 2020**, in which to file proof of service pursuant to Rule 4(m) of the Federal Rules of Civil Procedure. **There shall be no further extensions granted barring unforeseen and extenuating circumstances.** Failure to file proof of service may result in dismissal of the action without prejudice as to said parties. While Plaintiff is attempting to effect service on the Defendants, he should continue his efforts to secure legal representation.

DEBRA K. KEMPI, CLERK

By: _____/s/_____
Deputy Clerk